BOZICEVIC, FIELD & FRANCIS LLP

INTELLECTUAL PROPERTY LAW

1900 UNIVERSITY AVENUE, SUITE 200
EAST PALO ALTO, CALIFORNIA 94303

TELEPHONE (650) 327-3400
FACSIMILE (650) 327-3231

Date: October 11, 2007

To: Certificate of Correction Branch	**Fax:** 703-308-6672	☒ Use this fax number only
Company: USPTO	**Phone:** 703-305-8309	☐ Notify recipient before sending
From: Bret E. Field c/o Wilhelm Palmen	**Phone:** (650) 327-3400	**Return Fax:** (650) 327-3231

Original: ☐ To follow via mail ☐ To follow via courier ☐ To follow via email ☒ Original will not follow

Fax Contains: 8 pages *(including this sheet)*. If incomplete, please call Emily R. Almonte at (650) 833-7736.

Message:

Re: **U.S Patent No. 6,761,900 issued July 13, 2004**
Status Inquiry for Certificate of Correction filed January 13, 2006

To Whom it may concern,

A Certificate of Correction was filed in the above-referenced patent and 22 months have passed without a response from the Patent Office.

Following this transmittal is a copy of the return receipt postcard indicating the request was received by the Patent Office as well as a complete copy of the original submission.

Please do not hesitate to contact me directly at (650) 833-7720 if further information is required.

Bozicevic, Field & Francis LLP

Wilhelm A. Palmen Jr
U.S. Docket Manager assisting
Bret E. Field

Ref: TEIK-004 Return Original to: Wilhelm Palmen Jr Location:

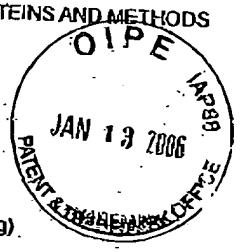
****

Express Mail No. **EV687636562US**

Atty. Docket No.: TEIK-004
USSN: 10/080,526
Confirmation No.: 8649

Date Mailed: January 13, 2006
Filing Date: February 21, 2002
Atty./Sec.: BEF/djm

Title: "NON AGGREGATING FLUORESCENT PROTEINS AND METHODS FOR USING THE SAME"



Enclosure(s):

- Transmittal (1 pg)
- Fee Transmittal (1 pg)
- USPTO Credit Card Payment Form (1 pg)
- Petition for Certificate of Correction (2 pgs)
- Copy of relevant page of issued patent (1 pg)
- Certificate of Correction (1 pg)

Please Acknowledge receipt of enclosures by PTO date-stamping postcard and returning to sender via US Mail.

Please type a plus sign (+) inside this box → [+]

PTO/SB/21 (05-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/080,526
Filing Date	February 21, 2002
First Named Inventor	SHUDO, JUTARO
Group Art Unit	1615
Examiner Name	GHALI, ISIS A.D.
Total Number of Pages in This Submission	7
Attorney Docket Number	TEIK-004

ENCLOSURES (check all that apply)

- [X] Fee Transmittal Form
- [ ] Fee Attached
- [ ] Amendment / Reply
- [ ] After Final
- [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Documents
- [ ] Response to Missing Parts/ Incomplete Application
- [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Assignment Papers *(for an Application)*
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [X] Petition for Certificate of Correction
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s
- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [ ] Proprietary Information
- [ ] Status Letter
- [X] Other Enclosure(s) *(please identify below):*

USPTO Credit Card Payment Form;
Certificate of Correction;
Copy of relevant page of issued patent;
Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.)	BRET E. FIELD, 37,620 BOZICEVIC, FIELD & FRANCIS, LLP
Signature	
Date	January 13, 2006

EXPRESS MAIL LABEL NO. EV687636562US

PTO/SB/17 (12-04)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 100.00

Complete if Known	
Application Number	10/080,526
Filing Date	February 21, 2002
First Named Inventor	SHUDO, JUTARO
Examiner Name	GHALI, ISIS A.D.
Art Unit	1615
Attorney Docket No.	TEIK-004

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): ____

☒ Deposit Account Deposit Account Number: 50-0815 Deposit Account Name: Bozicevic, Field and Francis LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES	Small Entity	SEARCH FEES	Small Entity	EXAMINATION FEES	Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims		Extra Claims		Fee ($)		Fee Paid ($)	Multiple Dependent Claims Fee ($)	Multiple Dependent Claims Fee Paid ($)
____	- 20 or HP =	____	x	____	=	____	____	____

HP = highest number of total claims paid for, if greater than 20

Indep. Claims		Extra Claims		Fee ($)		Fee Paid ($)
____	- 3 or HP =	____	x	____	=	____

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof		Fee ($)		Fee Paid ($)
____	- 100 =	____	/ 50 =	____	(round up to a whole number) x	____	=	____

4. OTHER FEE(S)

	Fee Paid ($)
Non-English Specification, $130 fee (no small entity discount)	____
Other: Certificate of Correction	100.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 37,620	Telephone (650) 327-3400
Name (Print/Type)	Bret E. Field		Date 01/13/2006

Express Mail No. EV687636562US

PETITION FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.323 FOR APPLICANT MISTAKE Address to: Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
	Attorney Docket Number	TEIK-004
	First Named Inventor	Jutaro Shudo
	Application Number	10/080,526
	Filing Date	February 21, 2002
	Patent Number	6,761,900
	Issue Date	July 13, 2004
	Title	TOPICAL PATCH PREPARATION CONTAINING A DELAYED HYPERSENSITIVITY INDUCER AND METHODS FOR USING THE SAME

Sir:

Applicants petition under 37 C.F.R. § 1.323 for a Certificate of Correction to correct typographical errors in the specification due to Applicant's mistake.

Transmitted herewith for filing is a Certificate of Correction for the above-identified patent. Please make the following corrections to the specification:

In column 4, line 15, please replace the word "1-chloro-2,4-nitrobenzene" with -- 1-chloro-2,4-dinitrobenzene --.

The change of "1-chloro-2,4-nitrobenzene" to "1-chloro-2,4-dinitrobenzene" is requested to correct a typographical mistake

The compound name "1-chloro-2,4-dinitrobenzene" is correctly presented in other instances throughout the specification, at for example, Column 1, line 53. Additionally, one of skill in the art would understand that "DNCB" which is presented throughout the specification, is the acronym for "1-chloro-2,4-dinitrobenzene". Accordingly, the proposed typographical corrections to the specification resulting from Applicants mistake do not constitute new matter and do not require reexamination.

Enclosed is a copy of the relevant page of the issued patent showing the incorrect language of the specification.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.20 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 1.13.06 By: _____
Bret E. Field
Registration No. 37,620

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, CA 94303
Telephone: (650) 327-3400
Fax: (650) 327-3231

F:\DOCUMENT\TEIK\004\2nd Certificate of Correction Petition TEIK-004.rtf

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,761,900
DATED : July 13, 2004
INVENTOR(S) : Jutaro Shudo et al.

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

In column 4, line 15, the word "1-chloro-2,4-nitrobenzene" should be replaced with -- 1-chloro-2,4-dinitrobenzene --.

MAILING ADDRESS OF SENDER:

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, CA 94303

PATENT NO: 6,761,900

No. of add'l copies
@ 50¢ per page

skin surface of a subject and maintained at the site of application for a period of time sufficient for an effective amount of the delayed-type hypersensitivity inducer to be administered to the subject, where this maintenance period typically does not exceed about 60 minutes. The subject invention finds use in a variety of applications where the administration of a delayed-type hypersensitivity inducer is desired, and is particularly suited for use in the treatment of HIV associated disease conditions, e.g., AIDS.

BRIEF DESCRIPTION OF THE FIGURES

FIG. 1 provides a cross-sectional view of a topical patch preparation according to the invention.

FIGS. 2 and 3 provide schematic representations of the manufacturing process for topical patch preparations of the invention.

DESCRIPTION OF THE SPECIFIC EMBODIMENTS

Topical patch preparations that contain a delayed-type hypersensitivity inducer, e.g., 1-dichloro-2,4-dinitrobenzene (DNCB), and methods for using the same are provided. The subject topical patch preparations are made up of an adhesive gel composition that is present on a support, where the adhesive gel composition includes the delayed-type hypersensitivity inducer, a water-soluble polymer gel, water and a water holding agent. In using the subject topical patch preparations, the topical patch preparations are applied to a skin surface of a subject and maintained at the site of application for a period of time sufficient for an effective amount of the delayed-type hypersensitivity inducer to be administered to the subject, where this maintenance period typically does not exceed about 60 minutes. The subject invention finds use in a variety of applications where the administration of a delayed-type hypersensitivity inducer is desired, and is particularly suited for use in the treatment of HIV associated disease conditions, e.g., AIDS. In further describing the subject invention, the topical patch preparations are described first in greater detail, followed by a review of representative applications in which the subject topical patch preparations find use.

Before the subject invention is described further, it is to be understood that the invention is not limited to the particular embodiments of the invention described below, as variations of the particular embodiments may be made and still fall within the scope of the appended claims. It is also to be understood that the terminology employed is for the purpose of describing particular embodiments, and is not intended to be limiting. Instead, the scope of the present invention will be established by the appended claims.

In this specification and the appended claims, singular references include the plural, unless the context clearly dictates otherwise. Unless defined otherwise, all technical and scientific terms used herein have the same meaning as commonly understood to one of ordinary skill in the art to which this invention belongs.

Topical Patch Preparations

As summarized above, the subject invention is directed to topical patch preparations of a delayed-type hypersensitivity inducer agent. The topical patch preparations of the subject invention are characterized by having an effective amount of the delayed type hypersensitivity inducer agent present in a gel adhesive base. FIG. 1 provides a representation of a topical patch preparation described according to the subject invention. As can be seen in FIG. 1, this representative topical patch preparation 10 contains a gel adhesive base 12

present on a support 14. Each of these components is now described in greater detail.

The gel adhesive base which serves as the delayed-type hypersensitivity inducer retaining layer, is made up of the delayed-type hypersensitivity inducer that is present in, e.g., dissolved in or dispersed in, and adhesive gel base. By "delayed-type hypersensitivity (DTH) inducers" is meant an immunomodulator that elicits immunological response in a subject, such as HIV patients, by increasing the activity of the immune system cells in the body. Delayed-type hypersensitivity inducers are substances that induce Type 4 hypersensitivity when they come into contact with human skin, and they include, but are not limited to: trinitrobenzene sulfonic acid, picryl chloride (PC), 2,4-dinitrofluorobenzene (DNFB), and 1-chloro-2,4-nitrobenzene (DNCB). In many embodiments, the delayed-type hypersensitivity inducer is DNCB.

The amount of DTH inducer that is present in the adhesive gel base is an amount sufficient to administer to a subject an effective amount of the agent when applied to a skin surface of the subject, as described in greater detail below. In many embodiments, the amount of DTH inducer present in the adhesive gel base ranges from about 0.01 to 10.0% (w/w), sometimes from about 0.05 to 10.0% (w/w), usually from about 0.1 to 5.0% (w/w) and more usually from about 0.2 to 3.0% (w/w).

The adhesive gel base that includes the DTH inducer, as described above, is made up of a water-soluble high molecular weight substance, water and a water retaining agent. In certain embodiments, the adhesive gel base may further include a cosolvent, e.g., an organic cosolvent. Each of these components is now described separately in greater detail.

Water-soluble high molecular weight substances of interest include water-soluble polymers, where polymers of interest include, but are not limited to: gelatin, starch, agar, mannan, alginic acid, polyacrylic acid, polyacrylate, dextrin, methylcellulose, sodium methylcellulose, hydroxypropylcellulose, sodium carboxymethylcellulose, cellulose gum, carboxyvinyl polymer, polyvinyl alcohol, polyvinylpyrrolidone, Arabia gum, acacia, tragacanth gum, karaya gum, and starch acrylate copolymer or other starch sodium acrylate graft copolymers. Metallic salts of these, as well as the products of cross-linking these by means of organic or inorganic cross-linking agents, are also of interest. These water-soluble polymers can be used to bring out the properties and characteristics of the other starting materials used in the adhesive gel composition, and in practice can be used alone or in combinations of 2 or more. The amount of water soluble high molecular weight substance(s) present in the adhesive gel base generally ranges from about 0.5 to 20, usually from a bout 2 to 20% (w/w).

While any convenient water may be employed as the water component, of interest are distilled water or ion-exchange water or the like, which is preferred in many embodiments of the subject invention. The amount of water present in the gel adhesive is sufficient to impart the desired physical properties to the gel adhesive, and to improve the swelling of the horny or keratinized layer of the skin to thereby improve the permeability or penetration of the DTH inducing agent(s), where the amount of water in the gel composition generally ranges from about 10 to 80%, usually from about 30 to 60% (w/w).

The water-retaining agent or water-holding agent of the subject adhesive gel compositions is any agent that is capable of at least diminishing the volatilization of water contained in the adhesive gel base so that the water content in the adhesive gel base is maintained at least a substantially